

Remarks

This Amendment is in response to the Office Action mailed on March 16, 2005. Claims 1, 3, 5, and 7 have been amended; claims 2 and 6 have been cancelled; and claim 12 has been added. The amendments to claims 1 and 5 are supported throughout the application. See, for example, claims 2 and 6 regarding the claimed lid; figures 1, 2, 9, and 13 showing an embodiment of the arrangement of the body frame, engine, intake system, and rear cushion; and page 7, lines 1-17, page 8, lines 18-29, page 13, lines 16-19, page 18, lines 26-30 describing the same. Claim 3 was amended formalistically in view of the amendments to claim 1. Claim 7 was amended to further clarify the subject matter of the claim. The amendment to claim 7 is supported throughout the application. See, for example, figures 3 and 13; and page 3, lines 17-23, page 6, line 27, and page 27, lines 20-21. New claim 12 has been added and is supported throughout the application. Accordingly, no new subject matter has been added. Applicants submit that in view of the above amendments and the following remarks the pending claims are in condition for allowance.

Objections

The specification and claims 1, 3, 5, and 7 were objected to for including formal errors. The specification and claims have been amended to correct the errors.

§ 112 Rejections

Claim 7 was rejected under 35 U.S.C. 112 as being indefinite. Claim 7 has been amended to further clarify the subject matter of the claim.

§ 102 Rejections

Claims 1 and 3-7 were rejected as being anticipated by Normura (US 4,577,719). This rejection is traversed.

Claim 1 has been amended to incorporate the subject matter of cancelled claim 2, which was not rejected as being anticipated. Accordingly, claim 1 is also not anticipated. Claims 3 and 4 depend on and further limit claim 1 and are therefore not anticipated for at least the same reasons.

Per the Examiner's remarks, claim 5 has been amended to positively recite features that were previously recited in the preamble of claim 5. As amended, Nomura is clearly not a low-floor vehicle according to claim 5. In particular, Nomura does not disclose a body cover for covering a vehicle body that comprises a low floor, which has a step floor for putting the feet of a rider thereon, and an engine mounted below the low floor.

Moreover, claim 5 has been amended to incorporate the subject matter of cancelled claim 6, which recites that the housing box includes a lid for checking the rear cushion. Applicants submit that Nomura fails to disclose or suggest a housing box. Instead, Nomura merely discloses a seat support frame. Consequently, Nomura fails to disclose or suggest a housing box with a lid constructed such that it enables one to check the rear cushion.

§ 103 Rejections

Claim 2 was rejected as being obvious in view of Nomura in view of Iiga. The cancellation of claim 2 renders this rejection moot.

It is noted that claims 1 and 5 have been amended to further recite features of the front and rear parts of the upper frame and their positional relationship with the engine, intake system, and rear cushion. These features enable the center of gravity of the vehicle to be set lower and more towards the front of the vehicle and thereby increase the stability and controllability of the vehicle. The claimed features are not disclosed or suggested by Nomura or by Nomura in combination with Iiga et al. (US 5,044,646). Accordingly, claims 1 and 5 are also not obvious.

New Claim 12

New claim 12 relates to a low center of gravity vehicle having a seat, a storage compartment mounted beneath the seat, an access panel located at the bottom of the storage compartment, and a rear shock absorber accessible by removing the panel. The shock absorber extends generally in a front to rear direction along the underside of the storage compartment. It is submitted that none of the prior art of record in the present application either alone or in reasonable combination, teaches or suggests the combination of elements recited by claim 12.

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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BHB/DGS/JEL:sl

